

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

IN RE: } CHAPTER 13
} BANKRUPTCY CASE NO.:
MOUSTAFA MOHAMED SOLIMAN }
DEBTOR } 11-70246
}

MOTION TO VACATE DISMISSAL AND REINSTATE CASE

COMES NOW your Debtor, by counsel, and would move this Court for an Order vacating the Order of Dismissal dated June 15, 2011, and Reinstating the case, and in support thereof would state as follows:

1. Debtor's case was dismissed because Debtor was delinquent on Trustee payments, and had yet to file the 2010 tax returns.
2. Debtor was unable to make trustee payments because his income is derived from his corporation, and the corporate bank account was garnished, which froze the funds intended for the Trustee.
3. Upon information and belief, Debtor will have sufficient funds available, as of the hearing, to bring all payments to the Trustee current.
4. The Debtor has retained an accountant for the preparation of the 2010 tax returns; upon information and belief, the tax returns will be completed and ready for filing by the hearing date, or shortly thereafter.

WHEREFORE, the Debtor, by counsel, would respectfully requests that the Court enter an Order vacating the Order of Dismissal, and Reinstating the case, and for such other and further relief as the Court may deem just.

Respectfully submitted,

/s/ Bryan James Palmer

Bryan James Palmer, Esq.
Michael D. Hart, P.C.
Post Office Box 622
Roanoke, VA 24004
540 342-9736

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NOTICE OF HEARING

PLEASE BE ADVISED that a hearing has been scheduled on the enclosed Motion to Vacate Dismissal, and Reinstate Case, on July 12, 2011, at 11:00 a.m., before the United States Bankruptcy Court for the Western District of Virginia, located in Old Federal Building, Room 212, 2nd Floor, Corner 2nd and Church Avenue, Roanoke, Virginia.

Absent response, filed in writing with the Clerk and counsel for the Debtors, within twenty (20) days from the date of this Notice, Movant shall submit for entry a default order, which may be entered without further notice or hearing.

Respectfully submitted,

/s/ Bryan James Palmer

Bryan James Palmer
Michael D. Hart, P.C.
Post Office Box 622
Roanoke, VA 24004
540 342-9736

CERTIFICATE OF SERVICE

I, Bryan James Palmer, certify that I mailed a true copy of the foregoing Notice and Motion to Vacate Dismissal and Reinstate Case to; Debtor, Moustafa M. Soliman at 1401 Tyler Avenue, Radford, VA 24141-3827, and all creditors via first class mail, and Trustee Rebecca B. Connelly, via electronic mail on this June 24, 2011.

/s/ Bryan James Palmer

Debtor SSN: XXX-XX-0660
Debtor Address: 1401 Tyler Avenue, Radford, VA 24141-3827